



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

COUNCIL PAPERS 1698-1701.

(From the original volume in the Virginia State Library)

(CONTINUED)

APPOINTMENT OF DR. JAMES BLAIR AS COUNCILLOR.

William R.

Trusty & Wellbeloved We Greet you well Whereas Wee are well satisfied of y^e Loyalty, Integrity, And Abilities of Our Trusty and Well beloved D^r James Blair, Wee have therefore thought fitt hereby to Signify Our Will and pleasure to you that forthwth upon Receipt hereof you swear & admitt him the said James Blair to be one of the Councill in Our Colony of Virginia, And for so doing this shall be y^r Warrant. And so Wee bid you farewell. Given at our Court at Hampton Court y^e 30th day of Decemb^r 1700 in y^e twelfth Year of Our Reign.

By his Ma^{ty}^e Command.

Ja: Vernon.

To Our Trusty & Well beloved Francis Nichollson Esq^r o^r Lieu^t Govern^r & Command^r in Chief of Our Colony and Dominion of Virginia in America and to our Chief Governor or Governors thereof for the time being

 VIRGINIA COUNCIL TO LORDS OF TRADE AND PLANTATIONS.
May it please y^r Lord'pp^s

Since the Death of his Maj^{ty}^e late Attorney Gen^{ll} the Place has bin Endeavoured to bee filled wth a person capable to serve his Ma^{ty}^e in that station wth haveing not been further able to doe then for the prosecuting Criminally at the Gen^{ll} Courts, And Conceiving his Maj^{ty}^e Service requires a Man of good Ability and knowing in the Law to Supply y^t Office; Wee hold ftt our Duty to lay before y^r Ld'pp^s the motives y^t Occations y^e P sent Defect; for that formerly the place of Att^{ny} Gen^{ll}

was of little trouble & rarely more busyness then drawing Indictments & prosecution of Criminalls & not any Sallary allowed by his Maj^{ties} till aft^r y^e year 1680. And then the Penalty of y^e Laws being made to y^e King and prosecutions thereon increased the Business & required the more frequent Attendance of y^e Attorney Gen^{ll} at y^e Courts for w^{ch} y^e P sent small Sallaryes of 40^{ll} P Annum was sett and established And now y^e busyness being very much augm^{ted} & for perquisites incident to y^t Office itt doth not compensate the trouble of a Suitable Person to attend his Maj^{ties} S^rvice att Courts, Councils, or residence att y^e Seat of y^e Governm^t as is Necessary. Therefore Humble propose y^t y^e present limited Sallary of 40^{lb} P ann bee raised to an 100 lb P ann at y^e least.

On the like Subject we pray further leave to represent to y^r L^dpp^s, y^t it is very difficult to Supply y^e place of Clerk of his Maj^{ties} Council such P sons y^t are qualified, liveing remote from the Seat of y^e Govern^t or takeing upon them to plead in the Courts of Justice & thereby gaine to y^rselves more profit and advantage then the present Sallary & perquisites amounts to & wth all find inconveniences by Imploying and makeing Sollicit^{rs} & Pleadors privy to y^e Arguments & results of y^e Council, wherefore for the encouragem^t of such as will apply y^m selves to y^t Duty & whose cheife dependance may bee thereon, wee do think itt very much for his Maj^{ties} Service y^t the Sallary may be advanced to 100 lb P Annum, And apprehend these additions will be a meanes bett^r to advance as well as Secure the present & Growing Proffitts of his Maj^{ties} Revenue of 2^s Phhd & s^t (without unhappy accidents or Emergent Occasions should happen will annually bear w^{ch} is humbly Offered for y^r Lord'pp^s Approbation & his Majesties Cond therein by y^r Lord'pp^s most faithfill & most

Obedient Servants.

fr. Nicholson

William Byrd

Mat: Page

Ben Harrison

Jno. Custis

James Blair

Virg'a Councill Chamb^r in his Maj^{ties} Royall College of W^m
& Mary y^e 4th day of June 1701.

E. Jenings
J. Lightfoot
Ch: Scarburgh.

(To be Continued)

JOHN POVEY TO THE GOVERNOR OF VIRGINIA.

Whitehall, y^e 2^d Jan^{ry} 1700

S^r

I am to acknowledge y^e favor I have of y^r Ex^{cy} Lett^r of y^e 27th Augst last as I beleive y^r Ex^{cy} Soon aft^r y^a recd mine dated in y^e same month. I do not know of any thing y^t has occurred here wth relation to y^r Ex^{cy} Govern^t since y^t time more than y^t I understand M^r Blair is at Last to be restored to his Place in Council, w^{ch} matt^r is yet und^r Consideracon but y^e Success not doubted of, so y^t y^e Chief p^t of y^e Trouble I give y^r Ex^{cy} at pres^t is aily to pay my respects & to wish y^r Ex^{cy} health & Happyness this & many Succeeding Yeares.

Since his Ma^{ie} return from Holland we have had some chance [?] in y^e Ministry, y^e Earl of Rochester is made Lord Lieu^t of Ireland y^e Lord Godolphin first Com^r of y^e Treasury & S^r Ch^e Hedges Principall Secretary of State, M^r Cha: Montague is Called up to y^e House of Peers by y^e Creation his Ma^{tie} has been Pleased to grant him in Consideration of his great Service, to be Baron of Hallifax.

The Consideracon of y^e Great Loss these Kingdoms have had by y^e Death of y^e Duke of Glouster (1) & y^e great Occurrences abroad by y^e death of y^e King of Spaine & y^e French King accep^{ing} y^e will made by y^e Late King of Spaine Bequeaths all his Dominions to y^e Duke of Anjon, seems to have moved his Ma^{ie} to dissolve this Parliam^t & to call a new Parliam^t for w^{ch} y^e writts are now out to meett y^e 6th of y^e next Month, y^t so y^r may be able to go through wth y^e whole Business w^{ch} is like to come under there Consideration & to be more yⁿ Probable be

¹The Duke of Gloucester was son of Princess (afterwards Queen) Anne.

Compleatly Settled In So short a session as * remaines to y^e expiracon of y^e last Parliam^t. In y^e meantime y^e totall Overthrow of y^e Muscovites Army by y^e Swedes & y^e Inclination of y^e King of Poland are an accomadacon w^{ch} Sweden seemes to have Quelled all things in y^e North from whence great troubles in Christendom were apprehended.

M^r Randolph (2) Continues here being only Called in his way from y^e Bahamy to Virginia. But I do not hear yet when he determines to be gone he Says when his Mast^{rs} y^e Com^{rs} of y^e Customes shall please to Ord^r him as their Busyness & attendance being now their.

I have nothing more at p sent but to assure y^r Ex^{ty} of my being wth great truth & Respex to

S^r

Y^r Excellencys

Most Faithfull & most humble

S^rv^t

John Povey

I und^rstand Coll Byrd is comeing over by leave from y^e tra^r

J. BURCHELL TO THE GOVERNOR OF VIRGINIA.

Adm^{ty} Office 24th Jan^{ry} 1700-1

S^r

I send this to acquaint you y^t I have recd y^r Lett^r of y^e 11th of April & y^t other L^r of y^e 10th June Following to my L^{rs} of y^e Adm^{ty} came safe to hand, together wth y^e Box of Pap^{rs} relateing to the Pyrates (3) taken by y^e Shoreham off y^e Capes of Virg^a.

²Edward Randolph, the well-known English government agent.

³On April 29, 1700, the *Shoreham*, a small English man-of-war, after a sharp action in Lynhaven Bay captured a pirate vessel. Governor Nicholson and other gentlemen were in the *Shoreham* during the fight, and one of them, Peter Heyman, collector of customs for the lower district of James River, was killed. His tomb formerly at Hampton (but destroyed during the Civil War) bore an epitaph, which paid a tribute to his gallantry. It was printed in this Magazine XI, 158, 159.

Theire L^dpp^s are very Sensible of y^e good Service done therein, & of y^e Zeal you shew'd to y^r Country in y^t particular & I doubt not but before this arrives, you will have had an Acc^t y^t many of those Pyratieall Villaines have recd their just punishm^t w^{ch} I hope will in a great measure deterr others for the future.

Their L^dpp^s are very well Satisfied wth w^{ht} you write in y^e behalfe of Cap^t Aldred & notwth standing y^e Occasion you formerly had to represent him otherwise to y^m than now you doe, they are pleased in Consideracon of his good Service in y^e takeing ye Pyrate Ship, to Continue him in their fav^r.

I have not yet heard from you relateing to y^r receipt of y^e Passes sent from hence for Secureing y^e Ships of his Maj^{ties} Subjects from y^e Algereens Concerning w^{ch} I take this Opportunity of acquainting you y^t besides what is contained in y^e Instrucons for ye disposall thereof, his Maj^{ties} has by his late Ord^r in Council directed y^t they shall be delivered out wthout any other Charge whatever than y^e duty for y^e Stamp So y^t it will be Necessary you give Strict Ord^{rs} herein, to y^e Person you Employ in this Affaire.

What I have more to add is That the Southampton a Shipp of y^e 4th Rate will Soon be ready to proceed on her Voyage to relieve y^e Shoreham y^t now attends on y^e Governm^t, And therefore I am Comanded by my Lord to desire, y^t y^e s^d Shipp Shoreham may not be out of y^e way, when y^e Southampton arrives, but y^t she may be ready to come for England Soe soon as her Comd^r recieves Ord^{rs} by y^e Southampton for doing thereof. The Lyncolne alsoe a Ship of y^e 4th Rate, is fitting out & Soon will proceed to Cruize on y^e Coast of America; Soe y^t it is hoped you will be freed from y^e Pyrates y^t have infested you. I am wth True Respect

S^r Y^r most Faithfull humble

Sv^t

J. Burchell

To y^e Govⁿr of Virg'a.

EXTRACTS OF A LETTER FROM M^r SANSOME, SECRETARY TO THE
COMMISSIONERS OF Y^e CUSTOMES, DATED THE 6th OF
SEPTEMBER 1699.

But as to the Amity of London James Duncan Master (Seized in Maryland) w^{ch} having been duly Registred before her going out, and proved to belong to M^r fowler & other Scotch Merch^{ts} Inhabitants of London, The Master having also a Settled family here, Upon y^e application of y^e said M^r fowler, & others, who brought parochial Testimony thereof, The Com^{rs} did by their Letter of y^e 6th of July last Inclose to y^e Governor a Duplicate of y^e Register, And acquainted him That it was the declared Opinion of his Maj^{ties} Councill, That Natives of Scotland Inhabiting with their families in England or Ireland were to be accompted English within y^e meaning of y^e Acts of Trade & Navigation, And therefore desired, That if the Ship was otherwise qualified, and Navigated according to Law, he would please to direct the Officers concerned to take of their hands & release y^e s^d Vessell, being here under Security to bring her Lading to Some Port of this Kingdome.

FOR THE COMR^s AT KENSINGTON THE 23th OF NOV^r 1699

Presents

The Kings most Excellent Majesty in Councill.

A Representation from the Lords Comission^{rs} of Trade & Plantations, dated the 16th of this Month, being this day read at y^e Board, Setting forth, That the Agents of Barbados having by their Memorial Complained that not only Debtors but also Indented Servants are carried off from y^e Island; in breach of their Laws, & to y^e great prejudice of the Inhabitants, by his Maj^{ties} Ships of Warr.

Their Lordships thereupon humbly Offer to his Maj^{ties}, That Strict direcons may be constantly given to y^e Comand^{rs} of all his Maj^{ties} Ships of Warr Sailing to any of his Maj^{ties} Plantations, That they observe y^e Laws of y^e Plantations where they come, relateing to y^e Carrying off, of Debtors, but more especially in relation to Indented persons, without Ticketts, as

the Laws of each plantation requires. His Maj^{ty} in Council is pleased to Order, as it is hereby ordered that Instruccions be given from time to time to y^e Comand^{rs} of his Maj^{ties} Ships of Warr, which are or shall be sent to those parts as is proposed by the said representation of the said Lords Comission^{rs}. A Coppy whereof is hereunto annexed. And the Lords Comission^{rs} of the Admiralty are to give the necessary Directions herein accordingly.

John Povey.

BOARD OF TRADE AND PLANTATIONS TO THE GOVERNOR OF
VIRGINIA.

Whitehall, January y^e 4th 1699-700.

Sir,

We received some time past your Letter of y^e first of July last, together wth y^e papers therein menconed & referr'd to.

But before we enter upon answering them, wee will add to what we writt in ours of the 28th June in Answer to yo^r former of the 4th & 27th ffebruary, That we hope you will be at no great Loss for want of yo^r predecessors papers: At least we do not know of any thing sent him by us, that needs to be copied and sent againe to you; But if we come to observe the want of any thing needfull for your Direction, that we can supply it shall be done.

We are very glad to observe your good management of the publick mony of the Province comitted to yo^r Charge, and doubt not but from y^e continuance of the like care you will not only preserve that province from runing back againe into Debt but be able to effect many things for the advantage thereof: Wee also approve of what you have done in not admitting M^r Dudley Diggs (4) to be of y^e Councill, because it would have been contrary to the Rules given you by his Maj^{ties} Comission & Instructions w^{ch} must be yo^r Standing guide. But we

⁴Dudley Digges, son of Governor Edward Digges, and grandson of Sir Dudley Digges, was born about 1665, and died Jan 8, 1710. He was appointed to the Council in 1698 and was Auditor General 1705-1710.

have been surprized to observe by yo^r minuts of Councill of the 10th December 1698, that you have appointed one to be Clerke of the said Council who owned to us at our Board that he had carried a Shipps lading of Tobacco from Virginia directly to Scotland.

You begin yo^r last Letter by acquainting us with the good correspondence there is between the Earl of Bellemont yo^rselfe & Coll-Blakiston which we must rejoyce at, And heartily wish it may so happen that you be able to meet together, as we perceive by Coll Blakiston was intended, at Philadelphia, especially whilst M^r Penn is there, because we cannot but hope that at a meeting of so many Governors of such important Provinces, some Advices will be thought on & proposals made that may be of general use & influence for the good of y^e whole.

There are many things in this Letter wth belong more properly to the Direction of other Cffces than of ours, as particularly the treasury & Custome house; unto which we can give little answer^e tho the whole be very necessary for our Informacon. for instance, what you write in the 4th Paragraph about the State of several Acc^{ts} & yo^r desire thereupon that the Revenue of 2^d p^h hd, may be not charged by any Order from hence we thought necessary to be laid before the Lords of y^e Treasury & therefore sent them a Copy of it. And you tell us in yo^r Postscript y^t you intend to send to y^e Com^{rs} of the Customs the Copies of severall things y^t you have sent us; Which is very well. But we thing it will be some ease to yo^r self if when you write to y^m or others ab^t any thing y^t it may concern us to know, you send us y^e Copies of what you so write or send, referring thereunto; and adding whatever further Remarks you think fitt. And that Method will also be advantage to us: Because we shall thereby best understand what remaines to be done by us upon any matter that offers.

Again what you write in y^e 5th & 6th Paragraphs about the Receivers being a distinct Officer from y^e Auditor; and of y^e prejudice that may perhaps happen to his Majesty if y^e person instructed wth the publick money do not give Security in England as well as Virginia for the discharge of his trust, is also matter proper for the Consideration of y^e Lords of y^e Treasury;

And wee cannot therefore doubt but you have writt them to y^e same purpose as you do to us. So y^t all we need say thereupon is, that if you finde any inconvenience in y^e present State of those matters, and want Directions therein you will do well to continue to address yo^r self to y^e Lords of y^e Treasury for them.

As for what you write about those Officers keeping their papers in distinct Offices (supposeing troo) and y^t theirs & all other publick papers (as you propose in Severall places afterwards) be lodged in y^e publick building, & y^t y^e said Officers be also obliged to Live at y^e Seat of Government, we think it all very fitt. And w^t you add in the 7th Paragraph about y^e Governor in Chief & others liveing there also we approve in like manner. And for y^t reason we againe exhort you to use yo^r most Endeavors that a convenient house be built for the Governour in Chief to dwell in according to his Maj^{ties} Instruccions to you in that matter.

Your Proposall in y^e 8th Paragraph about a Lieu^t Governour for Virginia & Maryland shall be considered in due time. But we have not thought fitt at present to offer unto his Maj^{ties} y^t any Change be made from the Directions already given about the Devolution of those Governments upon the Death of a Governour, by his Maj^{ties} Comission & Instruccions to yo^r self and Coll. Blakiston respectively.

What care you say (in the Tenth Paragraph) hath been taken about the getting an Exact Rent-roll of his Maj^{ties} Quit-rents, in order to the improveing of that Revenue, is very well: And we desire you to continue your care to see that it be accordingly done. And in like manner, we are very well pleased with all you write in y^e 12th paragraph about the fitness of trying Pirates & illegal traders in the Court of Admiralty Settled in Virginia, rather than in the other ordinary Courts of y^t Province; And are perfectly of y^e same opinion. But as for what you write in the 13th Paragraph about y^e Comissions of y^e Officers of y^e Admiralty Court, & their peticon & yo^r proposal about their Salaries, all we can say is, That we suppose their Comissions to be y^e same as have been sent to his Maj^{ties} other Plantations, and sufficient for y^m to act upon: And as soon as any Salaries

are Settled upon those Officers in other places, we shall be ready to propose y^t y^e like may be done there also.

In the same 13th Paragraph we meet wth another Instance of a matter w^{ch} belongs properly to the Comission^{rs} of his Maj^{ties} Customes there, & which we suppose you have accordingly communicated to them for their Directions upon it, viz^t, Concerning the qualification of a Scotchman to trade in y^e Plantations. However having had occasion to enquire into their Opinion upon a Case of that kind, happened in Maryland we send you here inclosed an Extract of their Secretary's letter thereupon which may give you some light into it.

We do believe it is not without reason y^t you complaine of y^e many irregularities in y^e Governm^t of Pennsylvania. But very full Orders haveing been sent to M^r Penn for the redressing of them we hope he will heartily endeavour to do it, and that his Endeavours may have a good effect.

We do not conceive how you came to appoint the same persons to Execute both the Naval Office & y^t of y^e Collector of y^e 2^d phhd, (as you say in the 17th Paragraph you have done). That being directly contrary to yo^r Instrucons, & also to yo^r owne opinion w^{ch} you writ us from Maryland upon y^e same Subject y^e 13th of July 1697. You ought therefore on this occasion, as all others to have kept to the Rule of your Instructions, & only offered the reasons upon which you thought it necessary they should be altered, y^t so those reasons might be further considered.

In the 19th paragraph speaking concerning y^e Secretary's Office you say y^t we best know whether the Secretary send us Transcripts of all Acts, Publick Orders, & Journals of Council, or no; Yo which we can only answer that we are not at present sensible that we want any of those things. But as it may perhaps be difficult for us to be immediately aware of every omission of that kinde, we desire you to be carefull therein; And as you are by yo^r Instrucons to require him & others to do their Duty, So it will be well that by takeing a List of what papers are sent, you examin whether any thing material be omitted, & acquaint us therewith.

And upon this occasion we may instance in a thing that has lately happen'd. Collonel Ludwell did, not long since, present to his Majesty an Address from the General Assembly of Virginia whereof we have had no Copy, nor previous notice of it from him w^{ch} should have been taken care of.

All y^t you write in this place about the publick Building & y^e allotting Distinct Roomes in it for all the different kinds of publick busyness is very well intended, and we hope you will accordingly aecomplish it.

Upon consideracon of what you write of y^e want of Councellours, & y^e difficulty of getting five of y^m together, We have represented to his Maj^{ties} our humble Opinion that M^r Robert Carter, & M^r John Custis ^{*(5)} may be constituted Members of the Councill in y^t Colony; And his Maj^{ties} has been pleased to order it accordingly.

What concernes fforts, Fortifications, Armes &c (w^{ch} you mention in y^e 22th Paragraph) is a matter that we have now under consideration with reference to all his Maj^{ties} Plantacons; And therefore deferr answering you any thing upon that head, untill we have gone through the whole matter y^t lyes before us.

We are affraid by what you write in y^e same place about A Committee of the house of Burgesses appointed to revise the Laws of that Colony, that you have mistaken the Sence of his Maj^{ties} Instrucons to you about y^t matter: Tho' the words appear unto us as plain as can well be, For it is not y^e house of Burgesses, but you y^t are required to us it, with the advice of y^e Councill; And y^e end is not y^t y^e Lawes so revised should be immediately re-enacted, but y^t you should propose to us yo^r observations thereupon in order to his Maj^{ties} further Directions. And above all things we add our Advice in case y^e house of Burgesses have made any considerable progress towards y^e revisall of y^e Laws y^t you take care not to pass or authorize any Collections of Laws by one Single act, but y^t each Act be pass'd severally, and y^t nothing be put into any Act of a different nature from what is express'd in y^e title of it; That so any

⁵Robt Carter, of "Corotoman," afterwards Governor of Virginia, and John Custis, of "Arlington," Northafton Co., who was member of Council from 1699 to his death Jan 26, 1713.

particular Act may be approved or disallowed of by his Majesty without involving others y^t have no relacon thereunto in y^e same Determination.

What you write in the 23th Paragraph about the Stile of Commissions, Instrum^{ts} &c is under consideracon, and if any thing materiall be observed thereupon you shall be advised of it in due time.

We have considered all you write & y^e papers you refer to relateing to y^e fixing of the Boundaries between Virginia & North Carolina, & are satisfied wth yo^r proceedings therein. What remains to be done by you in y^e mean while, untill Commissioners from Carolina duly qualified be appointed to treat about y^t matter is, That you take care y^t those who have settled any lands in those Confines upon Virginia Patents be protected against y^e people of Carolina & y^t you assert his Maj^{ties} Right ag^t their incroachments & suffer no innovation therein untill those boundaries come to be finally settled & determined.

The Laws y^t you mention in the 24th Paragraph to be transmitted to us have not y^e publick seal of y^e Province affixed to y^m. And are therefore not fitt to be taken into consideracon, in order to his Maj^{ties} pleasure upon y^e whole, or any part of y^m. If you did expect y^e Secretary should have sent us another Copy of those Laws under y^e publick Seal you may blame him for y^t omission. For he has not done it. But however it is very fit y^t two Copies of Lawes be always sent us under Seal for fear of Miscarriage; and y^t a third be likewise sent wth out Seale to lye by us for use upon all occasions.

What you propose in y^e 25th Paragraph about ascertaining the value of Coines in all his Maj^{ties} plantacons & y^t y^e value thereof in all places may be equall is a matter of great Moment & will be duly considered.

What you write or referr us to in y^e 26th Paragraph relateing to a New discovery of Western Indians & y^e promoting of a trade wth y^m by Subscriptions there, does not sufficiently inable us to judg of y^e expediency thereof. You should have sent us a Scheme of y^e Designe wth such proposalls as may

shew y^t it will not interfere wth or discourage y^e planting of Tobacco, w^{ch} is y^e maine thing to be pursued in y^t Colony. And we should thereby better have known whether it be proper for us to intermedle in the promoteing of it here or no. The Earle of Bellomont gives us also notice y^t he has writ to you about opening a new Trade with some Western Indians, but whether y^t be y^e same trade w^{ch} you say was endeavoured to be carryed on by Subscriptions, we cannot tell. Yo^r own sense upon all such matters is very necessary for our information, besides y^e papers y^t you may send and referr to about them.

We have considered all the papers y^t you referr to in the 27th Paragraph relateing to Lands in Pamunky Neck to Blackwater Swamp. And have thereupon reduced our thoughts in severall heads w^{ch} we judg proper to be observed by you in y^t matter, They are as follow

Viz^t.

That y^e Articles made wth y^e Indians at y^e Middle Plantation the 29th of May 1677 be exactly observed, as likewise all other treaties whatsoever,

That no Grants be made to Englishmen of any Lands within the Territories reserved to the Indians by the before menconed Articles.

That a Patent be granted to the Indians for the Lands reserved to them by the s^d Articles, in the same manner as Patents are usually granted for Lands to other his Maj^{ties} Subjects.

That the said Indians be not allowed to grant or Lease lands to any but their own posterity.

That all Lands in Virginia be held from the King, More especially, That no countenance be given to any colour of title got from the Indians by Gaming.

That those who have bona fide planted Lands in those parts and enjoyed a long continued possion of them upon defective Titles, without legall Patents for the same, may have the s^d Lands confirmed to them by Patents so far as they have actually planted them.

That those who have in the same manner taken up any great Tracts of Land w^{ch} they do not actually cultivate, may have Patents granted them for more or less of the s^d Lands as near as possible according to y^e intent of his Maj^{ties} late Instruccions to you about a new method of granting Lands in Virginia.

That if any Cases relateing to the grant of Lands have particular Difficulties in y^m the same be reported Specially to his Maj^{tie} & not determined there wth out particular Directions.

That No Posterious Grant of Lands to the Colledge be extended to y^e Outing of those who have bona fide planted upon any prior defective Title so far as they have actually planted the same.

The New Method that you have proposed (paragraph: 28:) for takeing the number of Tithables more exactly than formerly, we very well approve of.

We have considered your desire of particular Seals for the Council Office, Secretary's Office, and Notary Publick, besides y^e Great Seal y^t you have already. But as you acknowledge there have been no such particular Seals formerly, and we do not find that any such Seals have been appointed from hence for any other of his Maj^{ties} Plantations, we have not thought fit to propose it: But have put the Old Seals y^t you sent us into M^r Secretary Vernon's hands: And must leave it to your selfe or any Officer concerned to make use of what Seal you & his Maj^{ties} Council Shall think fitt for the publick Service in each particular busyness.

You have amongst y^e rest of your Instruccions one relateing to the pressing of Seamen which has been given in the same manner to the Governours of his Maj^{ties} other plantations. But nevertheless complaints having been made from some places of the irregular Conduct of the Captains of his Maj^{ties} Ships of Warr in y^t matter his Maj^{tie} has thereupon made a further Order in Council dated the 23th November last, whereof we send You here inclosed a Copy; which will shew you what Orders

all those Captains are to observe. So we bid you heartily Farewell.

Your very Loving Friends

Stamford

Lexington

Ph: Meadows

William Blathwayt

John Pollexfen

Abr: Hill.

Concerning the forms of Comm^{rs} &c menconed in your 23th Paragrp^h M^r Attorney General has Signified to us that he finds no objection in Law against any of them.

(TO BE CONTINUED)